

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JACKIE FISHER

Plaintiff,

vs.

UNIVERSITY OF TEXAS
MEDICAL BRANCH and
DAVID WATSON

Defendants.

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CIVIL ACTION NO. 4:08-CV-01273

Jury Demanded

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME

TO THE HONORABLE NANCY F. ATLAS:

COMES NOW, Defendants David Watson and University of Texas Medicine Branch, Correctional Managed Care (UTMB-CMC), and file this their Unopposed Motion for Extension of Time to file Defendants' Reply to Plaintiff's Response to Defendants' Motion for Summary Judgment and in support thereof, respectfully states the following:

1. Plaintiff filed her response to Defendants' Motion for Summary Judgment on December 14, 2009.
2. Defendants' deadline date to reply to Plaintiff's response is December 24, 2009.
3. Due to the undersigned's emergency gallbladder operation on Monday, December 21, 2009, Defendants request an extension to December 30, 2009 to reply to Plaintiff's response to Defendants' Motion for Summary Judgment.
4. Counsel for the Plaintiff is unopposed to this extension.
5. No other deadlines, including the trial setting of this case, will be affected by this extension. Defendants seek this extension not for purposes of delay, but that justice

may be done.

WHEREFORE, PREMISES CONSIDERED, Defendants pray this Court extend Defendants' deadline date to reply to Plaintiff's response to Defendants' Motion for Summary Judgment to December 30, 2009.

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

KENT C. SULLIVAN
First Assistant Attorney General

DAVID S. MORALES
Deputy Attorney General for Civil Litigation

ROBERT B. O'KEEFE
Chief, General Litigation Division

/s/ Sam Lively
SAM LIVELY
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE

_____ I certify that on December 21, 2009 Plaintiff's counsel, Jo Miller, conveyed by telephone that she does not oppose Defendants' Motion for Extension of Time. Plaintiff's counsel also agreed to the requested extension date of December 30, 2009.

/s/ Sam Lively

SAM LIVELY
Assistant Attorney General

NOTICE OF ELECTRONIC FILING

I, Sam Lively, do hereby certify that I have electronically submitted for filing, a true and correct copy of the above and foregoing document in accordance with the Electronic Case Files System of the Southern District of Texas, on this the 22nd day of December, 2009.

/s/ Sam Lively

SAM LIVELY
Assistant Attorney General

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and forgoing document has been sent via CM/ECF email, on December 22, 2009, to the following individual:

Jo Miller
505 North Main
Carriage House
Conroe, Texas 77301

/s/ Sam Lively

SAM LIVELY
Assistant Attorney General